

RECEIVED

2005 JUN 28 A 11:34

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

THELMA BARNES, et al.,

Plaintiffs,

v.

LIBERTY NATIONAL LIFE
INSURANCE COMPANY,

Defendant.

CIVIL ACTION NO. 2:05-cv-530-T

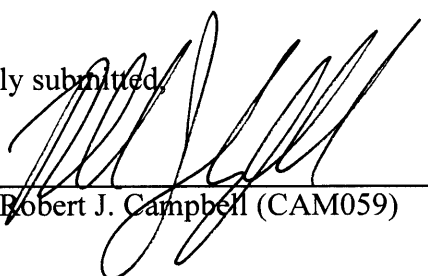
LIBERTY NATIONAL'S MOTION TO TRANSFER

Pursuant to 28 U.S.C. § 1404(a), Liberty National moves this Court to transfer this case to the Northern District of Alabama, where two putative nationwide class actions and multiple individual cases asserting virtually identical claims are already pending.

Liberty National relies on the following in support of its motion:

- 1) The Complaint;
- 2) The affidavit of Anthony McWhorter and the attachments thereto (attached hereto as Ex. 1);
- 3) Transfer Order in *Robinson v. Liberty National Insurance Co.*, D.S.C. Case No. 3:01-807-19 (attached hereto as Ex. 2);
- 4) Transfer Orders in: *Hudson v. Liberty National Life Insurance Co.*, Case No. CV-02-D-233-N; *Brown v. Liberty National Life Insurance Co.*, Case No. CV-02-T-232-E; *Gray v. Liberty National Life Insurance Co.*, Case No. CV-02-M-265-N; *Williams v. Liberty National Life Insurance Co.*, Case No. CV-02-T-231-N; *Betton v. Liberty National Life Insurance Co.*, Case No. CV-0140-CG-M; *Bass v. Liberty National Life Insurance Co.*, Case No. CV-03-S-574-N; (attached hereto as collective Ex. 3);
- 5) Transfer Orders in: *Morgan v. Liberty National Life Insurance Co.*, N.D. GA Case No. 02-CV-83HLM; *Arnold v. Liberty National Life Insurance Co.*, N.D. GA Case No. CV-02-0991 (attached hereto as collective Ex. 4).

Respectfully submitted,



Robert J. Campbell (CAM059)

OF COUNSEL

Michael R. Pennington
Anne Marie Seibel
BRADLEY ARANT ROSE & WHITE LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203-2104
Telephone: (205) 521-8000
Facsimile: (205) 521-8800

Scott B. Smith, Esq.
BRADLEY ARANT ROSE & WHITE LLP
200 Clinton Avenue West, Suite 900
Huntsville, AL 35801-4900
Telephone: (256) 517-5100
Facsimile: (256) 517-5200

William J. Baxley
William C. Barclift, III
Betsy P. Collins
BAXLEY, DILLARD, DAUPHIN & McKNIGHT
2008 3rd Avenue South
Birmingham, AL 35233
Telephone: (205) 271-1100
Facsimile: (205) 271-1108

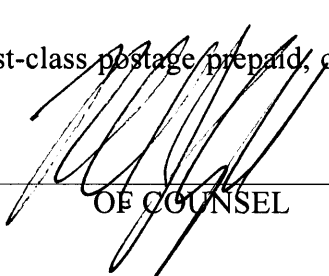
Floyd D. Gaines
GAINES LLC
P.O. Box 395
Birmingham, AL 35203
Telephone: (205) 320-2812
Facsimile: (205) 320-2811

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the above and foregoing on:

Jere L. Beasley, Esq.
W. Daniel "Dee" Miles, Esq.
C. Gibson Vance, Esq.
Beasley, Allen, Crow, Methvin,
Portis & Miles, P.C.
272 Commerce Street
P.O. Box 4160
Montgomery, AL 36103-4160

by placing a copy of same in the United States Mail, first-class postage prepaid, on this _____
day of June, 2005.



OF COUNSEL